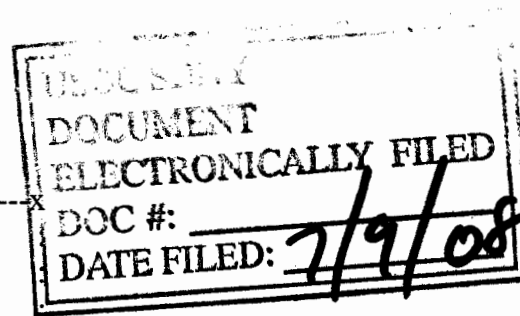


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



RANDY SOTO,

Petitioner,

-v.-

JAMES WALSH,

Respondent.

08 Civ. 5283 (GEL)

ORDER

GERARD E. LYNCH, District Judge:


The Court having concluded that the petition should not be summarily dismissed pursuant to Rule 4 of the Rules governing Section 2254 cases in the United States District Courts, it is hereby:

ORDERED that the respondent file an answer to the petition or other pleading in response thereto, along with the record on appeal, appellate briefs, and relevant trial and post conviction records and transcripts, no later than September 5, 2008.

IT IS FURTHER ORDERED that the Clerk of the Court serve copies of this Order and of the petition by certified mail upon the respondent, the Attorney General of the State of New York and the District Attorney of New York County.

SO ORDERED.

Dated: New York, New York
July 3, 2008


GERARD E. LYNCH
United States District Judge

Copy to:
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01-A-3858
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Fallsburg, NY 12733